



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
1 Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-53-15

Property Address: 1201 Lane Street

Property Owner: Ashkan, Taraneh, Sayed, and Cynthia Hosseini

Project Contact: Ashkan Hosseini

Nature of Case: A request for a 1.5' corner lot width variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow a two lot subdivision that results in a 58.5' wide corner lot for a .21 acre property zoned Residential-10 and located at 1201 E. Lane Street.

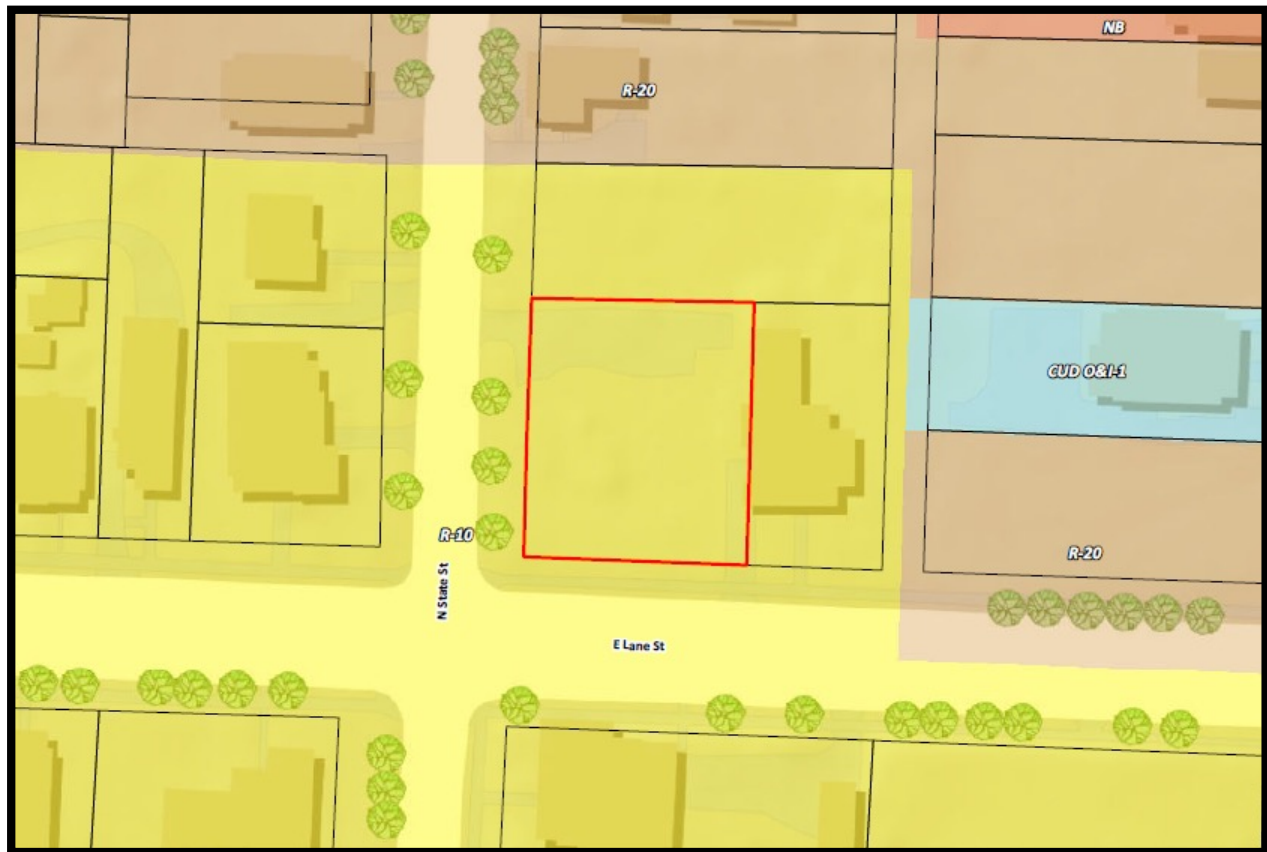


1201 E. Lane Street – Location Map

To BOA: 7-13-15

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-10



1201 E. Lane Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-10

Lot Dimensions

Area (min)	4,000 SF
Width – interior lot (min)	45'
Width – corner lot (min)	60'
Depth (min)	60'
Density (max)	10 u/a'

Yard Type	Minimum Setback
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'



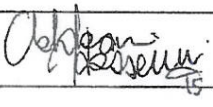
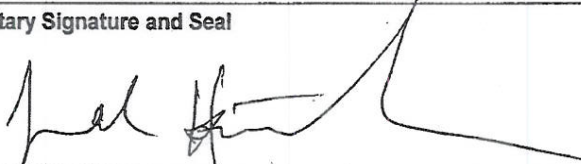
Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Variance Application

A-53-15

OFFICE USE ONLY	
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) Please see attached sheet.	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 1201 E Lane St Raleigh NC 27601		Date 6-8-15
Property PIN 1714107372	Current Zoning R-10	
Nearest Intersection E Lane St and N State St		Property size (in acres) 0.21
Property Owner Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Project Contact Person Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Property Owner Signature 	Email ashkanh9@gmail.com	
Notary Sworn and subscribed before me this <u>8</u> day of <u>June</u> , 2015	Notary Signature and Seal 	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.



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Nearest Intersection E Lane St and N State St	Property size (in acres) 0.21	
Property Owner Taraneh Bayani	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Project Contact Person Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Property Owner Signature Taraneh Bayani	Email ashkanh9@gmail.com	
Notary Sworn and subscribed before me this <u>8</u> day of <u>June</u> , 20 <u>15</u>	Notary Signature and Seal 	

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Property Owner Sayed Hassan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Project Contact Person Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Property Owner Signature 	Email ashkanh9@gmail.com	
Notary Sworn and subscribed before me this <u>8</u> day of <u>June</u> , 2015	Notary Signature and Seal 	

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Property PIN	Current Zoning R-10	
Nearest Intersection E Lane St and N State St	Property size (in acres) 0.21	
Property Owner Cynthia Karol Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Project Contact Person Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Property Owner Signature <i>Cynthia Karol Hosseini</i>	Email ashkanh9@gmail.com	
Notary Sworn and subscribed before me this <u>6</u> day of <u>June</u> , 20 <u>15</u>	Notary Signature and Seal <div style="border: 1px solid black; padding: 5px; text-align: center;">CARLOS BONNIN NOTARY PUBLIC Fulton County State of Georgia My Comm. Expires Aug. 14, 2017</div>	

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Variance Checklist

TO BE COMPLETED BY APPLICANT	YES	N/A
PRE-SUBMITTAL REQUIREMENTS		
1. Pre-Application Conference with staff	✓	
2. Completed Variance Intake Requirements sheet	✓	
3. Variance applications shall be submitted to the Zoning Division, 4 th floor of One Exchange Plaza	✓	
VARIANCE REQUIREMENTS		
1. The property owner must be the applicant.	✓	
2. A signed, notarized application and submittal fee are required.	✓	
3. The applicant must submit stamped envelopes addressed to the property owners within 100 feet of the subject property. City staff will mail the public hearing notices.	✓	
4. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.		
5. The Board of Adjustment is not empowered to modify zoning lines or grant a use variance.		
6. The Board of Adjustment may attach conditions of approval to a variance to protect surrounding properties.		
7. City Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period. The owner must return the sign to city staff within three days of the hearing. The owner will be charged \$45 for any sign not returned.		
VARIANCE CONSIDERATIONS		
The Board of Adjustment will review all variance requests against the following showings:		
1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made from the property.		
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.		
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.		
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.		



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Variance Intake Requirements

TO BE COMPLETED BY APPLICANT	COMPLETED BY CITY STAFF				
	YES	N/A	YES	NO	N/A
General Requirements – Variance					
1. I have referenced the Variance Checklist and by using this as a guide, it will ensure that the application is processed in a timely manner	<input checked="" type="checkbox"/>				
2. Variance application review fee (see Development Fee Schedule for rate)	<input checked="" type="checkbox"/>				
3. Completed, notarized application signed by the property owner	<input checked="" type="checkbox"/>				
4. One set of stamped envelopes addressed to all property owners within 100 feet of the subject property	<input checked="" type="checkbox"/>				
5. List of all adjacent property owners					
6. Plot Plan drawn to scale, containing a north arrow, area of lot, location of all existing improvements and use areas, location of proposed improvements, location of any constraints such as flood plain area, tree conservation area, buffer yards, easements, and sight distance triangles	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. If the variance request involves a structure, sign or fence, architectural elevations must be submitted	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. If the property has been cited by a Code Enforcement Officer, include a copy of the citation	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Is variance needed to legalize an existing improvement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

Nature of Variance Request:

We are seeking to subdivide our vacant lot into 2 lots that will both front on N State St. We have plenty of acreage to meet the lot minimums but because of the dimensions and it being a corner lot, can't meet the general requirements of the R-10 zoning code. Proposed lot #1 would meet all of the R-10 zoning requirements having a width of 45.5' and depth of 88' with a total square footage of 4,004 (requirement for interior lot is min width of 45', minimum depth of 60', and minimum lot size of 4000 square feet).

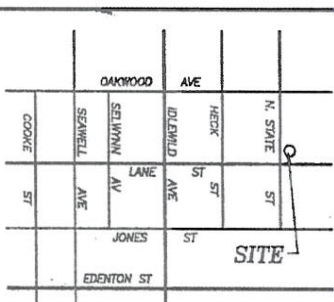
Proposed lot #2 meets all of the zoning requirements except the minimum lot width of 60' for a corner lot. We are seeking a variance of 1.5' from Chapter 2, section 2.3.2 of the Unified Development Ordinance requiring a minimum lot width of 60' for a corner lot that is zoned R-10. 1201 E Lane Street was historically 2 lots that both faced N State St. They were recombined into one lot sometime in the early 1900's. The proposed lot number 2 meets all of the other requirements of the UDO except for the minimum lot width of 60' for a corner lot. The proposed lot width would be 58.5'. Although the new corner lot would not meet the lot width by only 1.5', it would still be more than the average lot width of corner lots in the immediate and surrounding neighborhood thereby preserving the character of the neighborhood.

Below is a list of corner lots in the immediate neighborhood and their widths:

- 1) 320 N State St: 53' width
- 2) 1118 Oakwood Ave: 45' width
- 3) 1102 Oakwood Ave: 53' width
- 4) 1101 E Lane St: 38' width
- 5) 1011 E Lane St: 53' width
- 6) 1012 E Lane St: 53' width
- 7) 1102 E Lane St: 51' width
- 8) 210 N State St: 53' width
- 9) 219 N Tarboro St: 53' width
- 10) 309 N Tarboro St: 53' width
- 11) 1114 E Lane St: 157' width but this is a recombination of 4 lots.
- 12) 1115 E Lane St: 76' width

One block away is the West Idlewild Neighborhood Overlay District which only requires a minimum lot width of 30'. The Newbern Edenton NC Overlay District also extends and stops 1 block away from the subject property. The Newbern Edenton NCOD only requires a width of 40' for new lots whether they are interior or corner lots and addresses the surrounding neighborhood's uniqueness. Unfortunately, there isn't an overlay district that addresses the uniqueness of the subject property and immediate neighborhood most likely because of a lack of interest and development in the area when the new UDO was being written. The subject and the majority of the surrounding neighborhood were originally subdivided with corner lot and interior lot widths of around 53'.

Our request to create a new corner lot with a width of 58.5' would therefore create a new lot that conforms to the existing and surrounding neighborhood. With dimensions of 58.5' wide and 88' deep, the new corner lot would have 5,148 square feet of lot area which is well above the 4,000 square foot minimum requirement of the R-10 Zoning.



VICINITY MAP
(N.T.S.)

FLOOD CERTIFICATION

THIS WILL CERTIFY THAT THE SUBJECT PROPERTY
() IS or (X) IS NOT located in a SPECIAL FLOOD HAZARD AREA
as determined by the Department of Housing and Urban
Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 1714 J
COMMUNITY # PANEL SUFFIX

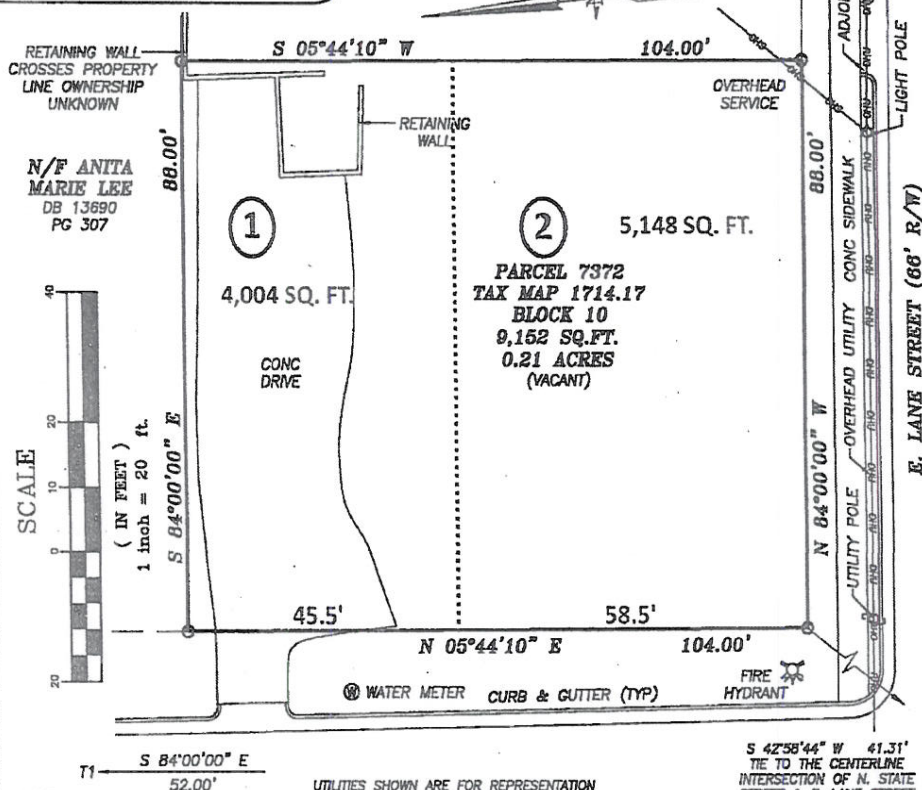
Jeffrey H. Davis, PLS
PROFESSIONAL LAND SURVEYOR

LEGEND

- EXISTING IRON PIPE
- NEW IRON PIPE
- × COMPUTED CORNER

N/F ALPHA L.
HOWZE, JR. HEIRS
DB 5706, PG 243

SCALED FROM WAKE COUNTY G.I.S.



NOTE:
THIS PROPERTY DOES NOT LIE WITHIN
2000' OF A N.C.G.S. MONUMENT.
THIS SURVEY IS OF AN EXISTING PARCEL
OR PARCELS OF LAND.

UTILITIES SHOWN ARE FOR REPRESENTATION
ONLY AND NOT TO BE USED FOR
PROPERTY LINE LOCATION
ALL CREEKS, EASEMENTS, BUFFERS,
FLOOD LIMITS & SETBACKS TAKEN
FROM TAX MAP 1714.17, BLOCK 10.

N. STATE STREET
(50' R/W)

I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision;
and that the error of closure as calculated by latitudes and departures is $1/10,000+$; that the boundaries not surveyed
are shown as broken lines plotted from information found in Book - ; Page - ; that this map was prepared in
accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this
9TH day of MARCH 2015.

Signed

Jeffrey H. Davis

Seal



C.N. = 22386
B.O.M. D.B. 11456
PAGE 0601
WAKE CO. REG.

SAYED HASSAN HOSSEINI
ASHKAN HOSSEINI

PARCEL 7372
TAX MAP 1714.17, BLOCK 10
1201 E. LANE STREET
RALEIGH NORTH CAROLINA

DATE: 03-09-2015

SCALE: 1" = 20'

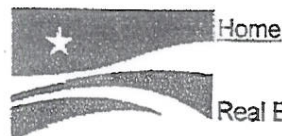
DWG. NO. A-18882



TURNING POINT
SURVEYING PLLC

4113 JOHN S. RABOTEAU WYND
RALEIGH, NORTH CAROLINA 27612.

FAX (800)948-0213 PH (919)781-0234
License No: P-0121

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Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)

Real Estate ID 0019440 PIN # 1714107372

**WAKE
COUNTY**

 Location Address
 1201 E LANE ST

 Property Description
 PT LTS 19-20

[Account
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NORTH CAROLINA

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For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

Property Owner HOSSEINI, ASHKAN & CYNTHIA KAROL HOSSEINI, SAYED HASSAN Use the Deeds tab above to view any additional owners		Owner's Mailing Address 108 KINGSMILL RD CARY NC 27511-7240	Property Location Address 1201 E LANE ST RALEIGH NC 27601-1239
Administrative Data Old Map # G002- Map/Scale 1714 17 VCS 01RA556 City RALEIGH Fire District Township RALEIGH Land Class VACANT ETJ RA Spec Dist(s) Zoning R-10 History ID 1 History ID 2 Acreage .21 Permit Date 11/14/2001 Permit # 0000014818		Transfer Information Deed Date 3/20/2015 Book & Page 15953 2486 Revenue Stamps 120.00 Pkg Sale Date Pkg Sale Price Land Sale Date 3/20/2015 Land Sale Price \$60,000 Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value \$38,064 Assessed Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$38,064 Assessed*

*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

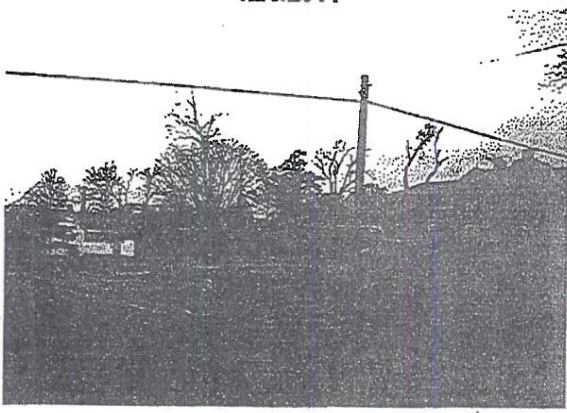
Real Estate ID 0019440

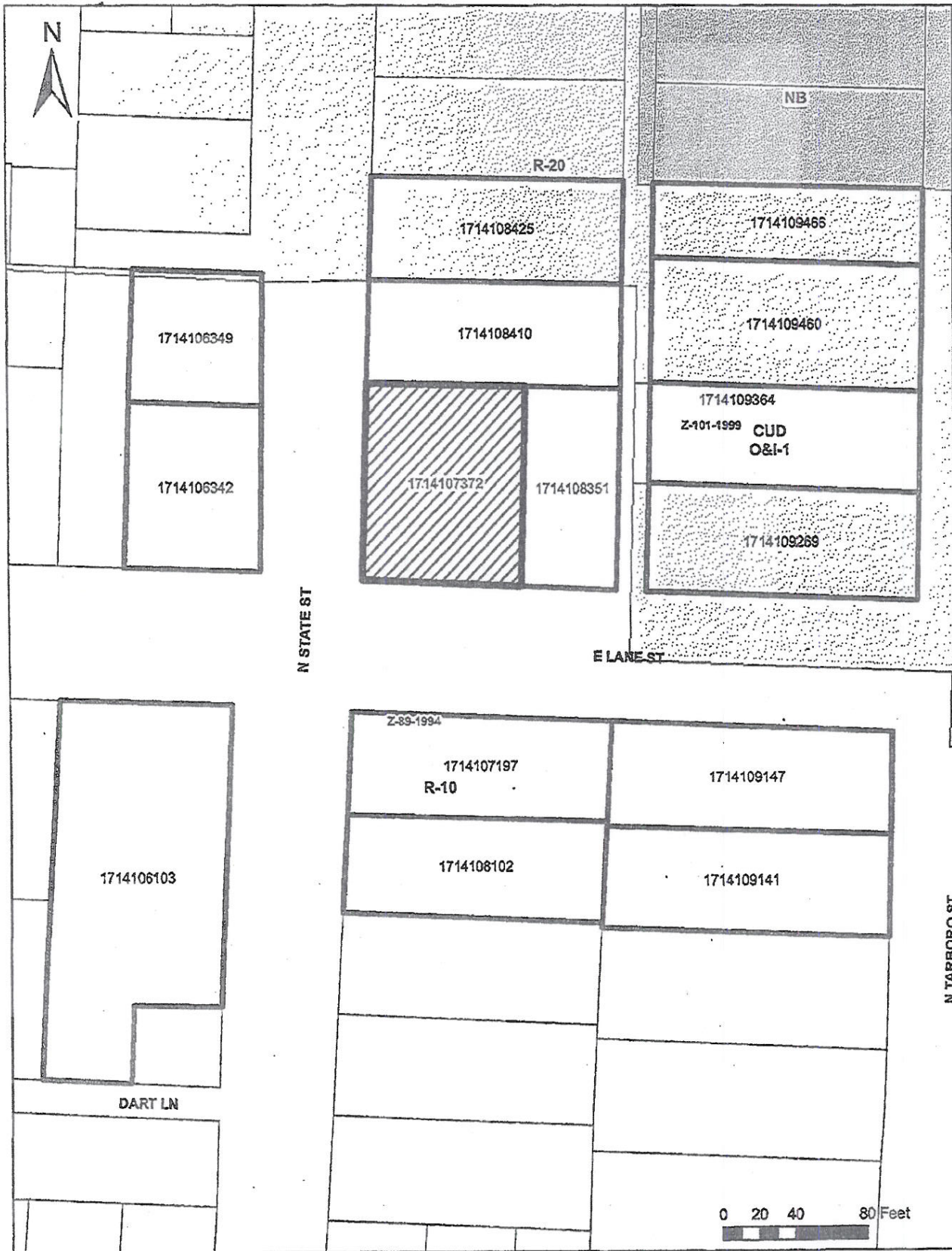
PIN # 1714107372

Location Address
1201 E LANE STProperty Description
PT LTS 19-20Account
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[Account](#) |
 [Buildings](#) |
 [Land](#) |
 [Deeds](#) |
 [Notes](#) |
 [Sales](#) |
 [Photos](#) |
 [Tax Bill](#) |
 [Map](#)

Building Location Address 1201 E LANE ST		Building Description 01RA556		Card 01 Of 01	
Bldg Type Units Heated Area Story Height Style Basement Exterior Const Type Heating Air Cond Plumbing		Year Blt Addns Int. Adjust. Other Features		Eff Year Remod Base Bldg Value Grade Cond % Market Adj. Market Adj. Accrued % Incomplete Code Card 01 Value All Other Cards Land Value Assessed Total Value Assessed	
				\$38,064 \$38,064	
Main and Addition Summary				Other Improvements	
Story	Type	Code	Area	Inc	Units Desitem Code Year % Inc Value ADJ
M					
A					
B					
C					
D					
E					
F					
G					
H					
Building Sketch				Photograph 12/6/2011	
					
				0019440 12/06/2011	



1201 East Lane Street



1714107372

HOSSEINI, ASHKAN HOSSEINI, CYNTHIA
KAROL
108 KINGSMILL RD
CARY NC 27511-7240

1714106103

NEAL, WILLIAM C
1114 E LANE ST
RALEIGH NC 27601-1238

1714106342

MCCLAMB, WALTER JR MCCLAMB, ALICE
R
5905 COLONIAL DR
RALEIGH NC 27603-4749

1714106349

MCCLAMB, WALTER JR MCCLAMB, ALICE
R
5905 COLONIAL DR
RALEIGH NC 27603-4749

1714107197

HARDAWAY, MARGUERITE PULLEN,
PEARLETTE
212 N STATE ST
RALEIGH NC 27601-1264

1714108102

PULLEN, PEARLETTE
212 N STATE ST
RALEIGH NC 27601-1264

1714108351

HOWZE, ALPHA L JR HEIRS
GEORGE SAUNDERS
500 ROSE POINT DR
CARY NC 27518-8212

1714108410

LEE, ANITA MARIE GOODSON,
NORTHINGTON
1605 STONE MOSS REACH APT A
CHESAPEAKE VA 23320-7449

1714108425

LEE, ANITA MARIE GOODSON,
NORTHINGTON
1605 STONE MOSS REACH APT A
CHESAPEAKE VA 23320-7449

1714109141

CHANCE, HARRIETT MADELIN
215 N TARBORO ST
RALEIGH NC 27610-2353

1714109147

HOWZE, ALPHA L JR HEIRS
GEORGE SAUNDERS
500 ROSE POINT DR
CARY NC 27518-8212

1714109269

SAINT AUGUSTINES COLLEGE
COMMUNITY DEVELOPMENT COR...
ATTN ACCTS PAYABLE
1315 OAKWOOD AVE
RALEIGH NC 27610-2247

1714109364

SAINT AUGUSTINES COLLEGE
COMMUNITY DEVELOPMENT COR...
ATTN ACCTS PAYABLE
1315 OAKWOOD AVE
RALEIGH NC 27610-2247

1714109460

HAYWOOD, WILLIE M
PO BOX 46798
RALEIGH NC 27620-6798

1714109466

HAYWOOD, WILLIE M
PO BOX 46798
RALEIGH NC 27620-6798